

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 442**  
97TH GENERAL ASSEMBLY

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Reported from the Committee on Seniors, Families and Pensions, May 15, 2013, with recommendation that the Senate Committee Substitute do pass.

0993S.02C

TERRY L. SPIELER, Secretary.

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**AN ACT**

To repeal sections 209.150, 209.152, and 209.200, RSMo, and to enact in lieu thereof three new sections relating to accommodations for persons with mental disabilities.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 209.150, 209.152, and 209.200, RSMo, are repealed  
2 and three new sections enacted in lieu thereof, to be known as sections 209.150,  
3 209.152, and 209.200, to read as follows:

209.150. 1. Every person with a visual, aural or [physical] **other**  
2 disability **including diabetes, as defined in section 213.010**, shall have the  
3 same rights afforded to a person with no such disability to the full and free use  
4 of the streets, highways, sidewalks, walkways, public buildings, public facilities,  
5 and other public places.

6 2. Every person with a visual, aural or [physical] **other** disability  
7 **including diabetes, as defined in section 213.010**, is entitled to full and  
8 equal accommodations, advantages, facilities, and privileges of all common  
9 carriers, airplanes, motor vehicles, railroad trains, motor buses, taxis, streetcars,  
10 boats or any other public conveyances or modes of transportation, hotels, lodging  
11 places, places of public accommodation, amusement or resort, and other places to  
12 which the general public is invited, subject only to the conditions and limitations  
13 established by law and applicable alike to all persons.

14 3. Every person with a visual, aural or [physical] **other** disability  
15 **including diabetes, as defined in section 213.010**, shall have the right to be  
16 accompanied by a guide dog, hearing dog, or service dog, which is especially

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

17 trained for the purpose, in any of the places listed in subsection 2 of this section  
18 without being required to pay an extra charge for the guide dog, hearing dog or  
19 service dog; provided that such person shall be liable for any damage done to the  
20 premises or facilities by such dog.

21 4. As used in sections 209.150 to 209.190, the term "service dog" means  
22 any dog specifically trained to assist a person with a physical **or mental**  
23 disability by performing necessary [physical] tasks **or doing work** which the  
24 person cannot perform. Such tasks shall include, but not be limited to, pulling  
25 a wheelchair, retrieving items, [and] carrying supplies, **and search and rescue**  
26 **of an individual with a disability.**

209.152. **Not to exceed the provisions of the Americans With**  
2 **Disabilities Act**, any trainer, from a recognized training center, of a guide dog,  
3 hearing assistance dog or service dog, **or any member of a service dog team,**  
4 **as defined in section 209.200**, shall have the right to be accompanied by such  
5 dog in or upon any of the premises listed in section 209.150 while engaged in the  
6 training of the dog without being required to pay an extra charge for such  
7 dog. Such trainer **or service dog team member** shall be liable for any damage  
8 done to the premise of facilities by such dog.

209.200. As used in sections 209.200 to 209.204, **not to exceed the**  
2 **provisions of the Americans With Disabilities Act**, the following terms shall  
3 mean:

4 (1) "Disability", as defined in section 213.010 **including diabetes**;

5 (2) "Service dog", a dog that is being or has been specially trained to do  
6 work or perform tasks which benefit a particular person with a disability. Service  
7 dog includes **but is not limited to**:

8 (a) "Guide dog", a dog that is being or has been specially trained to assist  
9 a particular blind or visually impaired person;

10 (b) "Hearing dog", a dog that is being or has been specially trained to  
11 assist a particular deaf or hearing-impaired person;

12 (c) "Medical alert or [respond] **response** dog", a dog that is being or has  
13 been trained to alert a person with a disability that a particular medical event  
14 is about to occur or to respond to a medical event that has occurred;

15 (d) "Mobility dog", a dog that is being or has been specially trained to  
16 assist a person with a disability caused by physical impairments;

17 (e) **"Professional therapy dog", a dog which is selected, trained,**  
18 **and tested to provide specific physical therapeutic functions, under the**

19 direction and control of a qualified handler who works with the dog as  
20 a team as a part of the handler's occupation or profession. Such dogs,  
21 with their handlers, perform such functions in institutional settings,  
22 community-based group settings, or when providing services to specific  
23 persons who have disabilities. Professional therapy dogs do not  
24 include dogs, certified or not, which are used by volunteers in  
25 visitation therapy;

26 (f) "Search and rescue dog", a dog that is being or has been  
27 trained to search for or prevent a person with a mental disability,  
28 including but not limited to verbal and nonverbal autism, from  
29 becoming lost;

30 (3) "Service dog team", a team consisting of a trained service dog,  
31 a disabled person or child, and a person who is an adult and who has  
32 been trained to handle the service dog.

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